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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO.       |
|--|-------------|----------------------|------------------------------|------------------------|
| 10/531,953   | 04/19/2005  | Takashi Hosoda       | Q87576                       | 4306                   |
| 23373 7590 11/02/2009<br>SUGHRUE MION, PLLC<br>2100 PENNSYLVANIA AVENUE, N.W.<br>SUITE 800<br>WASHINGTON, DC 20037 |             |                      | EXAMINER<br>BIRBACH, NAOMI L |                        |
|  |             |                      | ART UNIT<br>1792             | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>11/02/2009      | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/531,953

**Applicant(s)**

HOSODA ET AL.

**Examiner**

NAOMI BIRBACH

**Art Unit**

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) 6-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 07022009
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-15 are pending. Claims 6-15 have been withdrawn from consideration. Applicant's amendments filed 8/03/2009 are acknowledged.

***Information Disclosure Statement***

2. The information disclosure statement filed April 19, 2005 fails to comply with 37 CFR 1.98(a)(2), *which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed.* It has been placed in the application file, but the information referred to therein has not been considered.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2001-353650 to Tabata et al. (See machine translation) in view of JP S64-23224 to Murakami et al.
5. As to claim 1, Tabata discloses a scrubbing method to clean an optical component such as an optical lens form block (lens mold) (Page 2, Paragraph [0001]), where the lenses are made from plastic (Page 7, Paragraph [0026]). The method comprises a washing step of rotating the optical component while pressing an elastic

polishing member against a surface of the optical component while rotating the polisher (Page 8, Paragraphs [0030]-[0032]). During this process, a liquid may be applied to wash the optical component, which is understood to be supplied to the area between the surface of the optical component and the elastic polishing member (Page 9, Paragraph [0035]; Figure 1). Tabata teaches that the liquid may be water (Page 9, Paragraph [0035]).

6. Tabata discloses that the pressure in the elastic polishing member may be adjusted to change the shape of the polisher, so it is understood to be deformable (Page 7, Paragraph [0024]). Tabata does not expressly disclose a self-washing step of rotating the elastic polishing member in a position spaced from a position which said washing step is conducted in, and supplying the same liquid used in the washing step to the elastic polishing member and in this condition, deforming the elastic polishing member so as to thereby wash it.

7. Murakami discloses a self-washing step of rotating a cleaning brush such as a sponge body (i.e. elastic polishing member), supplying a liquid to the cleaning member and in this condition deforming the cleaning member by pressing and enlarging it, in order to wash the cleaning member (Pages 3, 5; Figure 2). Murakami teaches that the liquid used in the self-washing step may be water (Page 5), which is the same liquid used in the washing step.

8. While Murakami does not expressly teach performing the self-washing step in a position spaced from the position where the washing step is conducted, it would have been obvious to one of ordinary skill in the art at the time of the invention to perform the

self-washing step in a spaced apart position to prevent the lens mold from being recontaminated by the self-washing step.

9. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method taught by Tabata to include a self-washing step as taught by Murakami for the benefit of removing contamination that comes to adhere to the surface of a cleaning body during a cleaning process (Page 2). One of ordinary skill would have been motivated to add a self-washing step since a contaminated cleaning surface can reduce the cleaning effect and cause scratches on a surface to be cleaned (Page 3).

10. As to claims 2 and 3, Tabata further discloses that the liquid may be a slurry containing an abrasive dispersed in water or water (Page 9, Paragraph [0035]).

11. As to claim 4, Tabata does not expressly disclose that deforming is conducted by pressing the elastic polishing member and a rod-like member against each other during self-washing.

12. Murakami further discloses that the self-washing is conducted while deforming the cleaning member by pressing the cleaning member and a rod-like member (paired press rolls, Ref. #6a, 6b or rod-like colliding body, Ref. #8) against each other (Pages 5-6, Figure 2).

13. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the method taught by Tabata and Murakami to include pressing a rod-like member against the elastic polishing member as taught by Murakami in order to remove the dirt that is on the surface of the cleaning member (Page 5).

14. As to claim 5, Tabata does not expressly disclose that the self-washing step and washing step are conducted alternately.

15. Murakami further discloses that the self-washing step may be performed simultaneously with a washing process (Page 6), meaning that they may also be performed separately or alternately.

16. It would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the method taught by Tabata and Murakami to conduct the washing step and self-washing step alternately as taught by Murakami for the benefit of preventing further contamination.

#### ***Response to Arguments***

17. Applicant's arguments filed 8/03/08 have been fully considered but they are not persuasive.

18. Regarding the rejection of claims 1-5 under 35 U.S.C. 103(a) as being unpatentable over JP 2001-353650 to Tabata et al. (See machine translation) in view of JP S64-23224 to Murakami et al., Applicant argues that Murakami fails to cure the deficiencies of Tabata, since Murakami fails to disclose or suggest a self-washing step in a position spaced from a position which a washing step is conducted in, wherein the same liquid as the liquid used in the washing step is supplied, as recited in amended claim 1. Examiner respectfully disagrees. As discussed above with respect to the rejection of claim 1, Murakami discloses a self-washing step where the liquid used in the self-washing step may be water (Page 5), which is the same liquid used in the washing

step. While Murakami does not expressly teach performing the self-washing step in a position spaced from the position where the washing step is conducted, it would have been obvious to one of ordinary skill in the art at the time of the invention to perform the self-washing step in a spaced apart position to prevent the lens mold from being recontaminated by the self-washing step.

### ***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NAOMI BIRBACH whose telephone number is

(571)270-7367. The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Kornakov can be reached on 571-272-1303. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. B./  
Naomi Birbach  
Examiner, Art Unit 1792  
10/28/09  
/Michael Kornakov/  
Supervisory Patent Examiner, Art Unit 1792